

File No. 628

(Reprint of File No. 266)

Substitute Senate Bill No. 439  
As Amended by Senate Amendment  
Schedule "A" and House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
April 29, 1998

AN ACT CONCERNING RECYCLED CONTENT OF NEWSPRINT,  
PURCHASE OF PAPER PRODUCTS BY STATE AGENCIES AND  
DISPOSAL OF GRASS CLIPPINGS.

Be it enacted by the Senate and House of  
Representatives in General Assembly convened:

1 Section 1. (NEW) The Commissioner of  
2 Environmental Protection shall adopt alternative  
3 standards for the specifications provided in  
4 sections 22a-256n and 22a-256o of the general  
5 statutes if he determines, upon receipt of  
6 documentation from the Northeast Recycling  
7 Council, that such specifications are not  
8 achievable which determination shall be made not  
9 less than once annually. Such alternative  
10 standards shall be in effect during any period of  
11 time in which the commissioner determines that the  
12 publishing or printing industry is unable to  
13 obtain sufficient amounts of runnable newsprint  
14 containing recycled fiber at a price comparable to  
15 the price for virgin newsprint or is unable to  
16 find such newsprint within a reasonable time.  
17 Sec. 2. Section 4a-67f of the general  
18 statutes is repealed and the following is  
19 substituted in lieu thereof:

20 (a) The Commissioner of Administrative  
21 Services shall revise the specifications for  
22 printing and writing paper purchased by the state  
23 to (1) incorporate the standards provided for in  
24 federal Executive Order No. 12873 and any  
25 regulations or guidelines promulgated by the  
26 United States Environmental Protection Agency to  
27 carry out the purposes of said order AND (2)  
28 PROVIDE FOR THE PURCHASE AND USE BY STATE AGENCIES  
29 OF PAPER COMPOSED ENTIRELY OF MATERIALS  
30 MANUFACTURED USING PROCESSES (A) WHICH DO NOT  
31 INVOLVE HARVESTING OF TREES OR WHICH ARE OTHERWISE  
32 DERIVED ENTIRELY FROM SOURCES OTHER THAN TREES AND  
33 (B) WHICH CAN BE CATEGORIZED AS HAVING LESS  
34 ADVERSE IMPACT ON THE ENVIRONMENT THAN  
35 CONVENTIONAL PROCESSES.

36 (b) The commissioner may provide for  
37 alternative standards in such specifications if he  
38 determines that (1) a satisfactory level of  
39 competition does not exist with regard to the  
40 market for a particular paper item specified in  
41 such standards, (2) a particular paper item is not  
42 available within a reasonable time period or (3)  
43 the available items fail to meet reasonable  
44 performance standards established by the agency  
45 for which such items are being procured.

46 Sec. 3. Subsection (c) of section 22a-208v of  
47 the general statutes, as amended by section 1 of  
48 public act 97-102, is repealed and the following  
49 is substituted in lieu thereof:

50 (c) After October 1, 1998, or six months after  
51 the commissioner adopts such regulations,  
52 whichever is sooner, no resources recovery  
53 facility or solid waste facility permitted under  
54 this chapter, other than a municipal or commercial  
55 composting facility, may accept SIGNIFICANT  
56 QUANTITIES OF grass clippings for disposal.

57 Sec. 4. Subsection (b) of section 22a-220c of  
58 the general statutes is repealed and the following  
59 is substituted in lieu thereof:

60 (b) On and after January 1, 1991, the owner or  
61 operator of each resources recovery facility or  
62 solid waste facility who has reason to believe,  
63 upon visual inspection, that a load of solid waste  
64 which is delivered to the facility contains  
65 significant quantities of GRASS CLIPPINGS OR  
66 SIGNIFICANT QUANTITIES OF any item required to be  
67 recycled pursuant to subsection (a) of section

68 22a-241b shall provide prompt notification of such  
69 belief to the driver of the vehicle delivering the  
70 load and to the agent of the municipality from  
71 which the load originated, designated pursuant to  
72 section 22a-220. The owner or operator of each  
73 resources recovery facility or solid waste  
74 facility shall conduct periodic unannounced  
75 inspections of loads delivered to the resources  
76 recovery facility or solid waste facility to  
77 assist municipalities and the commissioner in  
78 accurately assessing compliance with said section  
79 22a-241b AND SUBSECTION (c) OF SECTION 22a-208v,  
80 AS AMENDED BY SECTION 3 OF THIS ACT. Such owners  
81 or operators shall conduct additional inspections  
82 upon the request of the commissioner.

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

**FISCAL IMPACT STATEMENT - BILL NUMBER sSB 439**

STATE IMPACT	Minimal Cost, Can Be Absorbed, see explanation below
MUNICIPAL IMPACT	Potential Cost Savings, see explanation below
STATE AGENCY(S)	Departments of Environmental Protection and Administrative Services

**EXPLANATION OF ESTIMATES:**

STATE IMPACT: The passage of this bill would result in minimal costs to the Departments of Environmental Protection (DEP) and Administrative Services (DAS) that would be absorbed within existing resources. DEP would be required to adopt alternative recycled fiber standards, and DAS would be required to revise the standards for paper purchased by the State. These standards would provide for the use of paper composed entirely of materials that do not involve the harvesting of trees, and produced in processes that have a less adverse impact on the environment. This results in a minimal workload increase, and in minimal, absorbable costs.

MUNICIPAL IMPACT: Specifying that the ban on disposing of grass clippings at resource recovery and other solid waste disposal facilities applies to significant quantities, and not all grass clippings, would continue to allow for flexibility for municipalities in disposal methods and a potential savings.

Senate Amendment "A" added a provision concerning notification of loads of significant quantities of

grass clippings at resources recovery or solid waste facilities and is not anticipated to change the fiscal impact.

House Amendment "A" added the provision concerning paper produced by processes that have a less adverse impact on the environment and has no fiscal impact.

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#### **OLR AMENDED BILL ANALYSIS**

sSB 439 (File 266, as amended by Senate "A" and House "A") \*

#### **AN ACT CONCERNING RECYCLED CONTENT OF NEWSPRINT, PURCHASE OF PAPER PRODUCTS BY STATE AGENCIES AND DISPOSAL OF GRASS CLIPPINGS**

**SUMMARY:** Current law requires newspaper publishers as a group to increase the amount of recycled fiber that their newsprint must contain according to a statutory schedule. This bill requires the Department of Environmental Protection (DEP) commissioner to adopt alternative recycled fiber standards if he determines that the specifications are not achievable as documented by the Northeast Recycling Council. He must make this determination yearly. The alternative standards are effective during any period in which the commissioner determines that either the newspaper publishing or printing industry is unable to obtain sufficient amounts of runable newsprint containing recycled fiber at a price comparable to virgin or is unable to find it within a reasonable time.

The bill requires the Department of Administrative Services (DAS) commissioner to revise the specifications for state printing and writing paper to allow state agencies to use paper composed entirely of material which (1) does not involve harvesting trees or is derived from sources other than trees and (2) is manufactured using processes having less negative effects on the environment than conventional processes. He must already incorporate the federal paper standards in these specifications.

The bill specifies that the ban on disposing of grass clippings at resource recovery and certain other solid

waste disposal facilities applies to "significant quantities" of clippings, not all clippings. By law, the ban goes into effect October 1, 1998 or six months after the adoption of DEP regulations, whichever is sooner. The bill requires an owner or operator of a solid waste or resource recovery facility to notify the driver and the appropriate town's agent of any load of solid waste that he believes, from visual inspection, contains a significant quantity of grass clippings. By law, he must already inspect for significant quantities of recyclable items. He must conduct periodic surprise inspections of loads and must conduct additional inspections at the DEP commissioner's request. The bill applies the penalty for failing to inspect at the commissioner's request for recyclable items to failing to inspect for grass clippings at his request. The penalty is a fine of \$1,000 for the first offense and \$5,000 for subsequent ones.

\*Senate Amendment "A" adds the requirement that owners and operators of solid waste or resource recovery facilities inspect loads for significant quantities of grass clippings. It also requires the DAS commissioner to incorporate both standards for paper made from nontree sources and federal standards in his paper specifications. The original bill required him to adopt one or the other.

\*House Amendment "A" adds the requirement that paper manufactured from nontree sources have less negative environmental effects than conventional paper manufacturing.

EFFECTIVE DATE: October 1, 1998

## **BACKGROUND**

### **Newsprint**

By law, if the DEP determines that publishers as a group did not meet the scheduled amount of recycled fiber in their newsprint, then each publisher must meet the scheduled amounts individually. For the year ending December 31, 1999, newsprint must be at least 45% recycled fiber; thereafter it must be 50% or more.

### **Legislative History**

On April 8 the Senate referred the bill (file 266) to the Government Administration and Elections Committee, which reported it unchanged. On April 22 the Senate passed the bill with Senate "A". On April 27 the House passed the bill with Senate "A" and House "A".

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute  
Yea 23      Nay 0

Government Administration and Elections Committee

Joint Favorable Report  
Yea 19      Nay 0